

DIST/OFFICE	DOCKET YR.	NUMBER	FILED DATE MO. DAY YEAR	J	N/S	O	R	H 23	\$	DEMAND OTHER	JUDGE NUMBER	JURY DEM.	YR.	DOCKET NUMBER
1085/4	76	0145	4 2 76	4	890	1	21				8510 <del>8509</del>		76	0145- <del>B</del> <sup>C</sup>

PLAINTIFFS

DEFENDANTS

In the Matter of the Application  
of Merrill Lynch, Pierce, Fenner &  
Smith, Inc.

Milton M. Moore & Sue Kendall  
Moore

to compel arbitration, pursuant to  
the United States Arbitration Act,  
Title 9 U.S.C. §4

CAUSE

Title 9 U.S.C. § 4

This is a petition seeking a Order requiring the respondents to submit  
certain disputes to arbitration as the parties have agreed, pursuant to  
the United States Arbitration Act.

Doug Inhofe  
Gary H. Baker & John S. Athens  
Connor Winters Ballaine Barry  
& McGowen  
2400 First National Tower  
Tulsa, Oklahoma 74103

ATTORNEYS

Frank Gregory  
Benjamin P. Abney  
Chapel, Wilkinson, Riggs & Abney  
1640 S. Boston 1714 First Natl. Bldg.  
Tulsa 74103  
587-3161

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IF CASE WAS  
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FILING FEES PAID

DATE

RECEIPT NUMBER

C.D. NUMBER

STATISTICAL CARDS

CARD DATE MAILED  
JS-5 5-1-76 (3-1-79)  
JS-6 10-1-77 5-1-79

B

## PROCEEDINGS

DATE	NR.	
4-2-76	1	Complaint filed. <del>Summons issued.</del> t on 4-16-76
4-14	2	Order, filed to show cause; ordered that resp. Milton M. Moore & Sue Kendall Moore show cause at a hearing before this Ct to be held before H. Dale Cook, U.S. Judge, on the 29th of April at 11:00a.m.; service of this order w/cpy of Petition upon the respondents, Moores (HDC-J) for (AEB-J). /Summons, USM Service & return on Order to show cause & Petition for Arbitration; served Milton M. Moore on 4-19-76 in Tulsa. (Fees \$11.40)t Served Sue Kendall Moore on 4-19-76 in Tulsa (Fees \$9.00)t
4-20-76		
4-28	3.	Joint applic. for continuance, filed. hm
4-29	4.	Order, filed, continuing hearing to show cause until 5-20-76 at 10:00 a.m. before AEB. (HDC-J)ph cps mld to John Athens for distribution.
4-29	5.	Defts' motion for Summary Judgment, filed. b
4-29	6.	Brief in Support of Defts' motion for S/J, filed. b
4-30	MO	It is ordered by the Court that the Pltf. file a responsive brief within 10 days to the Defts' motion for S/J. (AEB-J)b ltr mld
5-6	MO	Upon the Request of the Pltf for an ext. of time to respond to deft's motion for summary judgment, IT IS ORDERED that pltf is granted an additional 5 days from May 17, 1976, to respond to defts' mot. for s/j. (AEB-J)t cps. mld.t
5-17	MO:	It is Ordered that the hearing to show cause scheduled for 5-20-76, at 10:00 A.M., be and the same is hereby stricken pending disposition of defts' motion for summary judgment. (AEB-J)b ltr mld
5-20	7.	Petitioner, Merrill Lynch, et al's appl. for time til 6-1-76 to respond to respondents' mot. for S/J, filed.k 0 to J
5-24	8.	Order filed granting petitioners till 6-1-76 to file responsive brief to respondent's motion for summary judgment. (AEB-J) s cps mld.
6-1	9.	Brief of petitioner in opposition to respondents' mo/SJ, filed.rm
6-10	10	Respondent's application for enlargement of time till 6-30-76 to file brief in support of respondent's motion for summary judgment, filed.s 0 to J
6-11	11	Order filed, granting respondents till 6-30-76 to file a brief in support of respondents' motion for summary judgment and in opposition to petitioners' motion to dismiss. s (AEB-J) cps. mld.
6-30	12	Defts. application for extension of time to file brief in support of motion for summary judgment, filed.s 0 to J
7-9	13.	Order, filed, granting defts. til 7-9-76 to file brief in support of motion for Summary Judgment. (AEB-J)k cps mld
7-9	14	Brief in support of respondents' mot. for S/J, filed.g
8-11	15.	Pltfs' brief in response to defts' mot. for S/J, filed.k
12-30	16	Order, filed, overruling defts' mot. for S/J. Parties to make proper appl. for hrg. on Order to Show Cause on question of arbitration. (AEB-J)k cps mld
1-3-77	17.	Petitioner's application for hearing on order to show cause, filed.s 0 to J
1-13	18	Defts' mot. to amend interlocutory order and for leave to appeal, fld.s
1-13	19	Brief in support of defts' mot. for leave to file interlocutory appeal, filed.s

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT <b>B</b>	DOCKET NO. <u>76-C-145</u>
Merrill Lynch, et al	Milton M. Moore, et al	PAGE <u>3</u> OF <u>2</u> PAGES

DATE	NR.	PROCEEDINGS
1977		
1-14	MO	It is ordered by the Court that the pltf. file a responsive brief w/in 10 days to defts' motion for leave to file interlocutory appeal. (AEB-J)k cps mld
1-25	20	Pltf's brief in opposition to defts' mot. to amend interlocutory order and for leave to appeal, filed.k
6-7	MO	Case referred to Mag. Robert S. Rizley for Findings and Recommendations on all motions. (AEB-J)k
6-23	MO	Case set for hrg. before Mag. on defts' mot. to amend interlocutory order and for leave to appeal on 7-8-77 at 11:30 a.m. (RSR-Mag)k ntc by KT
7-8	Min	Case called for hrg. on defts' mot. to amend interlocutory order and for leave to appeal. Parties represented. Mot. taken under advisement. Parties directed to submit proposed findings and recommendations within 20 days. (RSR-Mag)k
8-22	21	Findings & Recommendations of Mag., filed. Recommends that the Court enter an Order directing arbitration of disputes forming basis of claim in case no. 76-C-192-B, in arbitration proceedings to be held in Tulsa, OK, before an NASD arbitration tribunal. (RSR-Mag)k cps mld
8-22	22	Stipulation of the parties in lieu of hrg. on Order to show cause, filed.k
9-6	23.	Order, filed & entered, that respondents Milton M. & Sue K. Moore proceed to arbitrate those disputes forming the basis of their claim for relief in case no. 76-C-192-B, in arbitration proceedings to be held in Tulsa, OK, before a NASD tribunal. Further ordered that the stay pending arbitration heretofore entered in case No. 76-C-192-B be continued until such time as any appeal in 76-C-145-B is finally determined or until such time as the arbitration proceedings directed in that case are finally concluded, whichever time is later. (AEB-J)k cps mld
10-4	24	Notice of appeal by Milton M. Moore and Sue K. Moore from order of 9/6/77, filed. rm - copies to USCA
10-4	25	Bond for costs on appeal (\$250 surety), filed. rm
10-5	26	Amended notice of appeal by Moores, filed. rm - copy to USCA
10-14	27	Appellants designations of record on appeal. fld. ho
10-27	--	Original appeal record (1 vol) transmitted to USCA.rm
10-31	--	Letter from 10th Circuit, assigning No. 77-1887. rm
7-27-78	28	Notice of change of address of Defts counsel, Frank Gregory, fld. ho
1979		
2-5	29	Mandate and opinion of 10th Circuit, filed and spread of record, reversing cause and remanding w/directions to proceed in accordance with views expressed in opinion. rm
2-5	30	Statement of costs from 10th Circuit, filed and taxed in the amt. of \$65 in favor of Milton M. and Sue Kendall Moore and against Merrill Lynch, et al. rm

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. 76-C-145
Merrill Lynch, Pierce, etc.	Milton Moore, et al	PAGE 4 OF 2 PAGES

DATE	NR.	PROCEEDINGS
1979		
3-16	MO	Case transferred to Judge H. Dale Cook. (JCS-Clk)k
3-29		Appeal record (1 vol.) rec'd from USCA. g
4-12	MO:	CASE SET FOR PT HRG. 4-24-79 at 9:30 a.m.; DISC. TO BE COMP. BY 4-18; PTO OR MEMO TO BE FILED BY 4-20. (HDC-J)hm
4-19	31	Judgment on Mandate, filed & entered, that action is dismissed on the merits. (HDC-J)k cps mld